

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

RANDY L. RICE AND BETH A. RICE,

Plaintiffs,

vs.

GENERAL MOTORS LLC

Defendant.

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CIVIL ACTION NO.:

**NOTICE OF REMOVAL ON BEHALF OF
DEFENDANT, GENERAL MOTORS LLC**

Now comes Defendant, General Motors LLC (“GM LLC”), and hereby gives notice of removal of this action from the Court of Common Pleas of Bucks County, Pennsylvania, pursuant to 28 U.S.C. §§1441 and 1446. In support of this Notice, General Motors LLC states:

1. The above-captioned action was commenced against General Motors LLC by the filing of a Writ of Summons on March 21, 2014.
2. GM LLC was served with the Writ on April 17, 2014.
3. On May 30, 2014, counsel for GM LLC entered an appearance and filed a jury demand and Praecipe for Rule to File Complaint.
4. A Rule was issued on May 30, 2014 requiring filing of plaintiffs’ Complaint within (20) days
5. Due to upcoming intended settlement discussions, counsel for GM LLC did not serve the Rule on plaintiffs’ counsel.
6. On October 11, 2014, counsel for GM LLC filed an additional Praecipe for Rule to File Complaint.

7. A second Rule was issued on October 14, 2014 and mailed to plaintiffs' counsel on October 21, 2014.

8. Plaintiffs' Complaint was filed on October 29, 2014 and served on GM LLC's counsel via electronic mail on October 30, 2014; thus, removal is timely.

9. This is a product liability action in which plaintiffs, Randy Rice and Beth Rice, seek compensatory damages resulting from a fire that occurred in their recalled 2000 Pontiac Grand Prix GT on March 5, 2013. The vehicle was located in their residential garage in Quakertown, Pennsylvania, at the time. A true and correct copy of the Complaint is attached as Exhibit A.

10. True and correct copies of the other filings in the state court action: plaintiffs' Praecipe for Summons and Summons, Entry of Appearance and Demand for Jury Trial on behalf of GM LLC, Praecipe for Rule to File Complaint dated May 29, 2014 and Rule entered on May 30, 2014, Praecipe for Rule to File Complaint dated October 10, 2014 and Rule entered on October 14, 2014, and plaintiffs' Praecipe to Substitute Verification filed on or about November 10, 2014, are attached as Exhibit B.

11. The above-captioned action is one in which this Court has original jurisdiction under the provisions of 28 U.S.C. § 1332 and is one which may be removed to this Court pursuant to the provisions of 28 U.S.C. § 1441 in that it is a civil action between citizens of different states and where the amount in controversy exceeds the sum or value of \$75,000.00.

12. Diversity of citizenship exists in that plaintiffs, Randy Rice and Beth Rice, are residents of the Commonwealth of Pennsylvania.

13. Defendant, General Motors LLC, is a Delaware limited liability company, the sole member of which is General Motors Holdings LLC, also a Delaware limited liability company.

The sole member of General Motors Holdings LLC is General Motors Company, a corporation organized under the laws of the State of Delaware with its principal place of business in Michigan. General Motors LLC and General Motors Holdings LLC also maintain their principal places of business in Michigan. As such, GM LLC is a citizen of Delaware and Michigan.

14. In addition, plaintiffs seek recovery in excess of \$600,000.00 for damage to real and personal property “as well as [for] the imposition of additional expenses and hardship.” See: Ex. A at ¶ 13.

15. The amount of controversy in this action therefore exceeds the sum of Seventy Five Thousand Dollars (\$75,000.00), exclusive of interests.

16. Notice of the filing of a Notice of Removal has been served on plaintiffs’ counsel as required by 28 U.S.C. § 1446(d).

17. A true and correct copy of this Notice of Removal has been filed with the Clerk of the Court of Common Pleas of Bucks County, Pennsylvania, as required by 28 U.S.C. § 1446(d).


WHEREFORE, this action is properly removed from the Court of Common Pleas of Bucks County, Pennsylvania, to the United States District Court for the Eastern District of Pennsylvania, for all further proceedings.

RICCI TYRRELL JOHNSON & GREY

DATE:

11/19/14

BY



FRANCIS J. GREY, JR., ESQUIRE
MONICA V. PENNISI MARSICO, ESQUIRE
1515 Market Street, Suite 700
Philadelphia, PA 19102
fgrey@rtjglaw.com
mpmarsico@rtjglaw.com
(215) 320-3260
(215) 320-3261 (fax)
Attorneys for defendant,
General Motors LLC

CERTIFICATE OF SERVICE

I hereby certify that I served a true and correct copy of the foregoing, Notice of Removal on Behalf of Defendant, General Motors LLC, via U.S. Mail on the following counsel of record:

Richard J. Boyd, Jr., Esquire
DeLuca Levine LLC
Three Valley Square, Suite 220
Blue Bell, PA 19422
Attorneys for Plaintiffs

By:



Monica V. Pennisi Marsico, Esquire

Date:

11/19/14

EXHIBIT A

de LUCA LEVINE, LLC
BY: RICHARD J. BOYD, JR., ESQUIRE
IDENTIFICATION NO.: 84035
THREE VALLEY SQUARE, SUITE 220
BLUE BELL, PA 19422
(215) 383-0229

ATTORNEYS FOR
PLAINTIFFS, RANDY L. RICE
AND BETH A. RICE

RANDY L. RICE AND BETH A. RICE
Plaintiff(s)

v.

GENERAL MOTORS, LLC
Defendant(s)

IN THE COURT OF COMMON
PLEAS OF BUCKS COUNTY, PA

CIVIL ACTION NO: 2014-01987

NOTICE

You have been sued in Court. If you wish to defend against the claims set forth in the following pages, you must take action within twenty (20) days after this Complaint and notice are served, by entering a written appearance personally or by attorney and filing in writing with the Court your defenses or objections to the claims set forth against you. You are warned that if you fail to do so, the case may proceed without you and a judgment may be entered against you by the Court without further notice for any money claimed in the Complaint or for any other claim or relief requested by the Plaintiff. You may lose money or property or other rights important to you.

YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER OR CANNOT AFFORD ONE, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW TO FIND OUT WHERE YOU CAN GET LEGAL HELP.

IF YOU CANNOT AFFORD TO HIRE A LAWYER, THIS OFFICE MAY BE ABLE TO PROVIDE YOU WITH INFORMATION ABOUT AGENCIES THAT MAY OFFER LEGAL SERVICES TO ELIGIBLE PERSONS AT A REDUCED FEE OR NO FEE:

LAWYER REFERRAL SERVICE
Bucks County Bar Association
135 East State Street, P.O. Box 300
Doylestown, PA 18901
(215)348-9413



Case #: 2014-01987 009 10703579
Code: 537 Judge: 25
Political: Backfile Bucks County Prothonotary
Rept: 21189845 10/29/2014 2:00:20 PM

de LUCA LEVINE, LLC
BY: RICHARD J. BOYD, JR., ESQUIRE
IDENTIFICATION NO.: 84035
THREE VALLEY SQUARE, SUITE 220
BLUE BELL, PA 19422
(215) 383-0229

ATTORNEYS FOR
PLAINTIFFS, RANDY L. RICE
AND BETH A. RICE

RANDY L. RICE AND BETH A. RICE
Plaintiff(s)

v.

GENERAL MOTORS, LLC
Defendant(s)

IN THE COURT OF COMMON
PLEAS OF BUCKS COUNTY, PA

CIVIL ACTION NO: 2014-01987

COMPLAINT

Plaintiffs, by and through undersigned counsel and by way of Complaint against Defendant, aver:

1. Plaintiffs, Randy L. Rice and Beth A. Rice, are adult individuals, who, at all times relevant hereto, resided at 1235 Oak Lane, Quakertown, PA 18951 (hereinafter "property") and owned a 2000 Pontiac Grand Prix GT, VIN 1G2WPS2K1YF206331, sold by Defendant (hereinafter "product").

2. Defendant, General Motors, LLC (hereinafter "GM"), is a corporation organized and existing under the laws of the state of Delaware and has a principle place of business located 300 Renaimiance Street, Detroit, MI 48243.

3. At all times material hereto, GM was engaged in the business of, among other things, selling motor vehicles, including the product at issue in this case; said product being recalled by Defendant as it was admittedly defective for causing fires (see NHTSA Action Number: EA07008).

4. On or about March 5, 2013, a fire erupted in the product, which was located in the garage at the subject property, and spread causing extensive damage to

Plaintiffs' real and personal property as well as the imposition of additional expenses and hardship besides, which was directly and proximately caused by the product for the reason set forth in Defendant's recall and as further and more fully described below.

COUNT I – NEGLIGENCE
RICE v. GENERAL MOTORS

5. Plaintiffs repeat the allegations set forth in the prior paragraphs of this Complaint as though they were set forth at length herein.

6. The aforementioned damages were the direct and proximate result of the negligence and carelessness of GM, by and through its employees, agents, technicians, vendors, subcontractors and/or servants, for:

- a. failing to exercise reasonable care in the following manner:
 - i. failing to sell a safe and properly functioning product as evidenced by the recall issued by Defendant;
 - ii. failing to properly inspect and/or test the product and/or its component parts before sale to avoid the hazards and dangers admitted to by GM in its recall;
 - iii. failing to provide complete and adequate warnings or instructions with the product so as to prevent the aforementioned damages to Plaintiffs ; and /or
 - iv. failing to provide adequate and timely notice of its recall of the defective product, through reliable means, to Plaintiffs.
- b. failing to adequately instruct, supervise and/or train servants, employees and agents as to the proper ways to perform the tasks set forth in subparagraph (a);
- c. failing to adequately warn consumers and others of the dangers and hazardous conditions resulting from the conduct set forth in subparagraph (a) above;

- d. failing to provide, establish, and/or follow proper and adequate controls so as to ensure the proper performance of the tasks set forth in subparagraph (a) above; and
- e. failing to retain competent, qualified and/or able agents, employees or servants to perform the tasks set forth in subparagraph (a) above.

7. As a direct and proximate result of the negligence and carelessness of GM, Plaintiffs sustained and incurred damage to their real and personal property, as well as the imposition of additional expenses and hardships, in an amount well in excess of \$600,000.00.

WHEREFORE, Plaintiffs, Randy L. Price and Beth A. Price, respectfully request judgment against Defendant, General Motors, LLC, in an amount in excess of \$600,000.00, plus costs incident to this suit, delay damages, and for such other relief as this Honorable Court shall deem appropriate under the circumstances.

COUNT II – STRICT LIABILITY
RICE vs. GENERAL MOTORS, LLC

8. Plaintiffs repeat the allegations set forth in the prior paragraphs of this Complaint as though they were set forth at length herein.

9. GM, at all times relevant hereto, was engaged in the business of, *inter alia*, manufacturing, selling, designing, distributing, and marketing motor vehicles, and specifically did so with the product at issue in this case.

10. GM designed, manufactured, distributed, tested and/or sold the subject product in a defective condition, unreasonably dangerous to consumers; said defective condition being set forth in Defendant's product recall as referenced above.

11. GM knew or should have known that the subject product would, and did, reach the subject property without substantial change from the condition in which originally distributed and sold.

12. The aforementioned defects consisted of:

- (a) design defects as set forth in its recall notice;
- (b) manufacturing defects;
- (c) component defects; and
- (d) a failure to warn of the design, manufacturing, and/or component defects, and/or properly provide warning and/or safe use instructions.

13. As a direct and proximate result of such defects, Plaintiffs sustained and incurred damage to their real and personal property, as well as the imposition of additional expenses and hardship, in an amount in excess of \$600,000.00.

14. For these reasons, GM is strictly liable to plaintiffs for the damages stated herein under Section 402A of the Restatement (2d) of Torts, and the applicable case law of the Commonwealth of Pennsylvania.

WHEREFORE, Plaintiffs, Randy L. Price and Beth A. Price, respectfully request judgment against Defendant, General Motors, LLC, in an amount in excess of \$600,000.00, plus costs incident to this suit, delay damages and for such other relief as this Honorable Court shall deem appropriate under the circumstances.

COUNT III-BREACH OF EXPRESS AND IMPLIED WARRANTIES
PRICE v. GENERAL MOTORS

15. Plaintiffs repeat the allegations set forth in the prior paragraphs of this Complaint as though they were set forth at length herein.

16. GM breached its implied warranty of merchantability as set out in 13 Pa. C.S.A. § 2-314 (c) in that the subject product was not fit for the ordinary uses for which the subject product was used or intended to be used.

17. In addition, GM breached any and all express warranties made or relating to the subject product that became part of the basis of the bargain for sale of the product in derogation of 13 Pa. C.S.A. § 2-313. (The product warranties were lost in the fire, but GM has better access to said warranties and, therefore, is not prejudiced by them not being attached hereto).

18. Plaintiffs' damages as set forth above occurred as a direct and proximate result of the breach by GM of its implied warranty of merchantability and as a result of the breach of its expressed warranties in derogation of 13 Pa. C.S.A. § 2-313.

19. Plaintiffs have met any and all conditions precedent to recovery for such breaches.

WHEREFORE, Plaintiffs, Randy L. Price and Beth A. Price, respectfully request judgment against Defendant, General Motors, LLC, in an amount in excess of \$600,000.00, plus costs incident to this suit, delay damages, and for such other relief as this Honorable Court shall deem appropriate under the circumstances.

de LUCA LEVINE, LLC

BY: 


RICHARD J. BOYD, JR.
ATTORNEYS FOR PLAINTIFFS,
RANDY L. PRICE AND BETH PRICE

DATED: 10/27/14

VERIFICATION

I, **RICHARD J. BOYD, JR.**, do hereby state that I am counsel for the Plaintiffs, and as such do hereby verify that the statements made in the foregoing Complaint are true and correct to the best of my knowledge, information and belief. The undersigned understands that the statements therein are made subject to penalties of 18 PA.C.S. §4904 relating to unsworn falsification to authorities.

Dated: 10/27/14



RICHARD J. BOYD, JR.

EXHIBIT B

Supreme Court of Pennsylvania

Court of Common Pleas

6th Circuit Court

Bucks County

County

For Prothon

Docket No:

Case Number: 2014-01987
 Receipt: 2014-39-00319 Judge: 25
 Code: 110 Filing: 10502056
 Patricia Bachtle - Bucks Co Prothonotary
 809 3/21/2014 3:35:19 PM

ESTAMP

The information collected on this form is used solely for court administration purposes. This form does not supplement or replace the filing and service of pleadings or other papers as required by law or rules of court.

SECTION A	Commencement of Action: <input type="checkbox"/> Complaint <input checked="" type="checkbox"/> Writ of Summons <input type="checkbox"/> Petition <input type="checkbox"/> Transfer from Another Jurisdiction <input type="checkbox"/> Declaration of Taking	
	Lead Plaintiff's Name: Randy L. Rice and Beth A. Rice	Lead Defendant's Name: General Motors
	Are money damages requested? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Dollar Amount Requested: <input type="checkbox"/> within arbitration limits (check one) <input checked="" type="checkbox"/> outside arbitration limits
	Is this a Class Action Suit? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Is this an MDJ Appeal? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Name of Plaintiff/Appellant's Attorney: Richard J. Boyd, Jr. <input type="checkbox"/> Check here if you have no attorney (are a Self-Represented [Pro Se] Litigant)		

SECTION B	Nature of the Case: Place an "X" to the left of the <u>ONE</u> case category that most accurately describes your PRIMARY CASE . If you are making more than one type of claim, check the one that you consider most important.		
	TORT (do not include Mass Tort) <input type="checkbox"/> Intentional <input type="checkbox"/> Malicious Prosecution <input type="checkbox"/> Motor Vehicle <input type="checkbox"/> Nuisance <input type="checkbox"/> Premises Liability <input checked="" type="checkbox"/> Product Liability (does not include mass tort) <input type="checkbox"/> Slander/Libel/ Defamation <input type="checkbox"/> Other: _____	CONTRACT (do not include Judgments) <input type="checkbox"/> Buyer Plaintiff <input type="checkbox"/> Debt Collection: Credit Card <input type="checkbox"/> Debt Collection: Other _____ <input type="checkbox"/> Employment Dispute: Discrimination <input type="checkbox"/> Employment Dispute: Other _____ <input type="checkbox"/> Other: _____	CIVIL APPEALS Administrative Agencies <input type="checkbox"/> Board of Assessment <input type="checkbox"/> Board of Elections <input type="checkbox"/> Dept. of Transportation <input type="checkbox"/> Statutory Appeal: Other _____ <input type="checkbox"/> Zoning Board <input type="checkbox"/> Other: _____
	MASS TORT <input type="checkbox"/> Asbestos <input type="checkbox"/> Tobacco <input type="checkbox"/> Toxic Tort - DES <input type="checkbox"/> Toxic Tort - Implant <input type="checkbox"/> Toxic Waste <input type="checkbox"/> Other: _____	REAL PROPERTY <input type="checkbox"/> Ejectment <input type="checkbox"/> Eminent Domain/Condemnation <input type="checkbox"/> Ground Rent <input type="checkbox"/> Landlord/Tenant Dispute <input type="checkbox"/> Mortgage Foreclosure: Residential <input type="checkbox"/> Mortgage Foreclosure: Commercial <input type="checkbox"/> Partition <input type="checkbox"/> Quiet Title <input type="checkbox"/> Other: _____	MISCELLANEOUS <input type="checkbox"/> Common Law/Statutory Arbitration <input type="checkbox"/> Declaratory Judgment <input type="checkbox"/> Mandamus <input type="checkbox"/> Non-Domestic Relations <input type="checkbox"/> Restraining Order <input type="checkbox"/> Quo Warranto <input type="checkbox"/> Replevin <input type="checkbox"/> Other: _____
	PROFESSIONAL LIABILITY <input type="checkbox"/> Dental <input type="checkbox"/> Legal <input type="checkbox"/> Medical <input type="checkbox"/> Other Professional: _____		

IN THE COURT OF COMMON PLEAS OF BUCKS COUNTY, PENNSYLVANIA

CIVIL DIVISION

Plaintiff(s) & Address(es):

Randy L. Rice and Beth A. Rice
1235 Oak Lane
Quakertown, PA 18951
vs.

File No. _____


Case Number: 2014-01987
Receipt: 2014-39-00319 Judge: 25
Code: 110 Filing: 10502056
Patricia Bachtle - Bucks Co Prothonotary
809 3/21/2014 3:35:19 PM

Civil Action -

Defendant(s) & Address(es):

General Motors, LLC
c/o The Corporation Trust Company
1209 Orange Street
Wilmington, DE 19801

PRAECIPE FOR SUMMONS

TO THE PROTHONOTARY/CLERK OF SAID COURT:

Issue summons in Civil Action
in the above case.

_____ Writ of Summons shall be issued and forwarded to Attorney/Sheriff.

Date: 3/20/2014


Signature of Attorney

Print Name: Richard J. Boyd, Jr.

Address: 518 Township Line Rd., Ste 300
Blue Bell, PA 19422

Telephone: 215-358-5100

Supreme Court ID No.: 84035


SUMMONS IN CIVIL ACTION

TO: GENERAL MOTORS, LLC

YOU ARE NOTIFIED THAT THE ABOVE-NAMED PLAINTIFF(S) HAS/HAVE COMMENCED AN ACTION AGAINST YOU.

PATRICIA L. BACHTLE,
PROTHONOTARY

Date: 3-21-2014

by: 

Deputy

SEAL
OF THE
COURT

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IN THE COURT OF COMMON PLEAS OF BUCKS COUNTY, PENNSYLVANIA
CIVIL DIVISION

RANDY L. RICE AND BETH A. RICE,

Plaintiffs,

vs.

GENERAL MOTORS LLC

Defendant.

CIVIL ACTION NO.: 2014-01987



Case #: 2014-01987 B09 10586934

Code: 73 Judge: 25
Patricia L. Bachtle, Bucks County Prothonotary
Rept: Z1111909 5/30/2014 1:05:42 PM

ENTRY OF APPEARANCE

TO THE PROTHONOTARY:

Kindly enter our appearance on behalf of defendant, General Motors LLC, in the above-captioned matter.

RICCI TYRRELL JOHNSON & GREY

DATE: 5/29/14

BY: _____

Francis J. Grey, Jr., Esquire (Id No. 56145)
Monica V. Pennisi Marsico, Esq. (Id No. 83681)
1628 John F. Kennedy Blvd.
Philadelphia, PA 19103
(215) 320-3260
(215) 320-3261 (fax)
Attorneys for defendant,
General Motors LLC

CERTIFICATE OF SERVICE

I hereby certify that I served a true and correct copy of the foregoing, Entry of Appearance, via U.S. Mail on the following counsel of record:

Richard J. Boyd, Jr., Esquire
Nelson Levine DeLuca & Hamilton LLC
518 Township Line Road, Suite 300
Blue Bell, PA 19422
Attorneys for Plaintiffs

By:



Monica V. Pennisi Marsico, Esquire

Date:

5/29/14

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IN THE COURT OF COMMON PLEAS OF BUCKS COUNTY, PENNSYLVANIA
CIVIL DIVISION

RANDY L. RICE AND BETH A. RICE,

Plaintiffs,

vs.

GENERAL MOTORS LLC

Defendant.

CIVIL ACTION NO.: 2014-01987



Case #: 2014-01987 B09 10566938

Code: 95 Judge: 25
Patricia L. Bachtel, Bucks County Prothonotary
Rpt: Z1111910 5/30/2014 1:07:18 PM

DEMAND FOR JURY TRIAL

TO THE PROTHONOTARY:

A twelve (12) member jury is hereby demanded by defendant, General Motors LLC, in
the above-captioned matter.

RICCI TYRRELL JOHNSON & GREY

DATE: 3/29/14

BY: _____

Francis J. Grey, Jr., Esquire (Id No. 56145)
Monica V. Pennisi Marsico, Esq. (Id No. 83681)
1628 John F. Kennedy Blvd.
Philadelphia, PA 19103
(215) 320-3260
(215) 320-3261 (fax)
Attorneys for defendant,
General Motors LLC

CERTIFICATE OF SERVICE

I hereby certify that I served a true and correct copy of the foregoing, Demand for Jury Trial, via U.S. Mail on the following counsel of record:

Richard J. Boyd, Jr., Esquire
Nelson Levine DeLuca & Hamilton LLC
518 Township Line Road, Suite 300
Blue Bell, PA 19422
Attorneys for Plaintiffs

By: 

Monica V. Pennisi Marsico, Esquire

Date:

5/29/14

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70%

IN THE COURT OF COMMON PLEAS OF BUCKS COUNTY, PENNSYLVANIA
CIVIL DIVISION

RANDY L. RICE AND BETH A. RICE,

Plaintiffs,

vs.

GENERAL MOTORS LLC

Defendant.

CIVIL ACTION NO.: 2014-01987



Case #: 2014-01987 B09 10566953
Code: 45 Judge: 25
Patricia L. Bachtle, Bucks County Prothonotary
Rcpt: Z1111911 5/30/2014 1:07:58 PM

PRAECIPE FOR RULE TO FILE COMPLAINT

TO THE PROTHONOTARY:

Please enter a Rule upon plaintiffs to file a Complaint within twenty (20) days hereof or suffer the entry of Judgment of Non Pros.

RICCI TYRRELL JOHNSON & GREY

DATE:

5/29/14

BY:

Francis J. Grey, Jr., Esquire (Id No. 56145)
Monica V. Pennisi Marsico, Esq. (Id No. 83681)
1628 John F. Kennedy Blvd.
Philadelphia, PA 19103
(215) 320-3260
(215) 320-3261 (fax)
Attorneys for defendant,
General Motors LLC

RULE TO FILE COMPLAINT

AND NOW, this 30th day of May, 2014, a Rule is hereby granted upon plaintiffs to file a Complaint herein within twenty (20) days after service hereof or suffer the entry of a Judgment of Non Pros.

PROTHONOTARY

CERTIFICATE OF SERVICE

I hereby certify that I served a true and correct copy of the foregoing, Praeceptum for Rule to File Complaint, via U.S. Mail on the following counsel of record:

Richard J. Boyd, Jr., Esquire
Nelson Levine DeLuca & Hamilton LLC
518 Township Line Road, Suite 300
Blue Bell, PA 19422
Attorneys for Plaintiffs

By: _____


Monica V. Pennisi Marsico, Esquire

Date: _____

5/29/14

IN THE COURT OF COMMON PLEAS OF BUCKS COUNTY, PENNSYLVANIA
CIVIL DIVISION

RANDY L. RICE AND BETH A. RICE,

Plaintiffs,

vs.

GENERAL MOTORS LLC

Defendant.

CIVIL ACTION NO.: 2014-01987



Case #: 2014-01987 B09 10689620

Code: 45 Judge: 25
Patricia L. Bachtie, Bucks County Prothonotary
Rcpt: Z1190997 10/14/2014 12:46:42 PM

PRAECIPE FOR RULE TO FILE COMPLAINT


TO THE PROTHONOTARY:

Please enter a Rule upon plaintiffs to file a Complaint within twenty (20) days hereof or suffer the entry of Judgment of Non Pros.

RICCI TYRRELL JOHNSON & GREY


DATE: 10/10/14

BY:


Francis S. Grey, Jr., Esquire (Id No. 56145)
Monica V. Pennisi Marsico, Esq. (Id No. 83681)
1628 John F. Kennedy Blvd.
Philadelphia, PA 19103
(215) 320-3260
(215) 320-3261 (fax)
Attorneys for defendant,
General Motors LLC

RULE TO FILE COMPLAINT

AND NOW, this 14th day of Oct, 2014, a Rule is hereby granted upon plaintiffs to file a Complaint herein within twenty (20) days after service hereof or suffer the entry of a Judgment of Non Pros.


PROTHONOTARY

CERTIFICATE OF SERVICE

I hereby certify that I served a true and correct copy of the foregoing, Praecipe for Rule to File Complaint, via U.S. Mail on the following counsel of record:

Richard J. Boyd, Jr., Esquire
Nelson Levine DeLuca & Hamilton LLC
518 Township Line Road, Suite 300
Blue Bell, PA 19422
Attorneys for Plaintiffs

By: _____


Monica V. Pennisi Marsico, Esquire

Date: _____

10/10/14

de LUCA LEVINE, LLC
BY: RICHARD J. BOYD, JR., ESQUIRE
IDENTIFICATION NO.: 84035
THREE VALLEY SQUARE, SUITE 220
BLUE BELL, PA 19422
(215) 383-0229

ATTORNEYS FOR
PLAINTIFFS, RANDY L. RICE
AND BETH A. RICE

RANDY L. RICE AND BETH A. RICE
Plaintiff(s)

v.

GENERAL MOTORS, LLC
Defendant(s)

IN THE COURT OF COMMON
PLEAS OF BUCKS COUNTY, PA

CIVIL ACTION NO: 2014-01987

TO THE PROTHONOTARY:

Kindly substitute the attached Verification of Eileen Reinert to Plaintiffs'

Complaint for the Verification filed by the attorney of record.

de LUCA LEVINE, LLC

BY: 

RICHARD J. BOYD, JR.
ATTORNEYS FOR PLAINTIFFS,
RANDY L. PRICE AND BETH PRICE

DATED: 11/10/14

de LUCA LEVINE, LLC
BY: RICHARD J. BOYD, JR., ESQUIRE
IDENTIFICATION NO.: 84035
THREE VALLEY SQUARE, SUITE 220
BLUE BELL, PA 19422
(215) 383-0229

ATTORNEYS FOR
PLAINTIFFS, RANDY L. RICE
AND BETH A. RICE

RANDY L. RICE AND BETH A. RICE
Plaintiff(s)

v.

GENERAL MOTORS, LLC
Defendant(s)

IN THE COURT OF COMMON
PLEAS OF BUCKS COUNTY, PA


CIVIL ACTION NO: 2014-01987

CERTIFICATE OF SERVICE

I, Richard J. Boyd, Jr., Esquire, hereby certify that a true and correct copy of the
Plaintiffs' Praecept to Substitute Verification was served on November 10, 2014, upon
counsel listed below by United States Mail, postage prepaid:

Monica Marsico, Esquire
Ricci Tyrrell Johnson & Grey
Eight Penn Center, Suite 2000
1628 JFK Boulevard
Philadelphia, PA 19103

de LUCA LEVINE, LLC

BY: 
RICHARD J. BOYD, JR.
ATTORNEYS FOR PLAINTIFFS,
RANDY L. PRICE AND BETH PRICE

DATED: 11/10/14

VERIFICATION

I, **EILEEN REINERT**, do hereby state that I am a representative for Erie Insurance Exchange, the real party in interest in the within subrogation action, and as such do hereby verify that the statements made in the foregoing Complaint are true and correct to the best of my knowledge, information and belief. The undersigned understands that the statements therein are made subject to penalties of 18 PA.C.S. §4904 relating to unsworn falsification to authorities.

Dated:

10/28/14

Eileen Reinert
EILEEN REINERT